

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

SECURITIES AND EXCHANGE COMMISSION,	:	
	:	
Plaintiff,	:	Civil Action No.: 4:12-cv-1051
	:	
v.	:	
	:	
ANTHONY J. NOCELLA, AND	:	JURY TRIAL DEMANDED
J. RUSSELL MCCANN,	:	
Defendants.	:	
	:	

NOTICE OF SETTLEMENT IN PRINCIPLE

Please take notice that the parties have agreed to settle this matter, subject only to (1) final agreement as to the settlement documents and (2) approval of those documents by the Commission of the SEC. Because Commission approval can take some time, the parties would jointly ask the Court to take all dates and deadlines in this matter off calendar and will notify the Court when approval has been received. If approval has not been received within three months (by January 7, 2015), the parties will provide a status report to the Court.

Respectfully submitted,

By: /s/ James G. Munisteri
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CERTIFICATE OF SERVICE

I, James G. Munisteri, do certify that on this 7th day of October, 2014, a copy of the foregoing pleading was served on the following parties via email:

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